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# OFFICIAL

## FAX COVER SHEET

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MAY 18 2004

## PLEASE DELIVER THIS FACSIMILE TO EXAMINER BENJAMIN R. BRUCKART

TO: Commissioner for Patents  
Attn: Examiner Benjamin R. Bruckart  
Group Art Unit 2155  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: David W. Victor

OUR REF: 0072.0032  
TELEPHONE: 310-556-7983

Total pages, including cover letter: 18

PTO FAX NUMBER 1-703-872-9306

If you do NOT receive all of the pages, please telephone us at 310/556-7983, or fax us at 310/556-7984.

Title of Document Transmitted: AMENDMENT AFTER FINAL

Applicant: D.R. Day et al.  
Serial No.: 09/645,386  
Filed: August 24, 2000  
Group Art Unit: 2155  
Docket No.: AUS920000360US1

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on  
May 14, 2004

By:   
Name: David W. Victor

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FORM PTO-1083

PATENT  
AUS920000360US1  
0072.0032

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

D.R. Day et al.

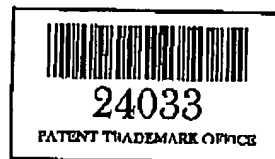
Serial No.: 09/645,386

Filed: August 24, 2000

For: METHOD, SYSTEM, AND PROGRAM  
FOR GATHERING INDEXABLE  
METADATA ON CONTENT AT A DATA  
REPOSITORY

Examiner: Benjamin R. Bruckart

Art Unit: 2155



Sir:

Transmitted herewith in the above-identified application is an:

☒ Amendment 15 pages.  
☒ No additional fee is required.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA RATE		ADDIT. FEE	OR	RATE		ADDIT. FEE
TOTAL	54	MINUS	57	=	0	x	\$0	OR	x 18	\$0	
INDEP CLAIMS	3	MINUS	3	=	0	x	\$0	OR	x 86	\$0	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						+	\$	OR	+ 290	\$	
						TOTAL	\$0	OR	TOTAL	\$0	

— Please charge Deposit Account No. 09-0447 the amount of \$\_\_\_\_\_ to cover the extension fee and also the amount of \$\_\_\_\_\_ to cover the claim fee. A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0447. A duplicate of this sheet is enclosed.

☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

Dated: May 14, 2004

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 Registration No. 39,867  
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## CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted by facsimile to Benjamin R. Bruckart of the U.S. Patent and Trademark Office at 703-872-9306 on May 14, 2004.

David W. Victor

Date

5/14/04

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MAY 18 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	D.R. Day et al.	Examiner:	Benjamin R. Bruckart
Serial No.:	09/645,386	Group Art Unit:	2155
Filed:	August 24, 2000	Docket No.:	AUS920000360US1
TITLE:	METHOD, SYSTEM, AND PROGRAM FOR GATHERING INDEXABLE METADATA ON CONTENT AT A DATA REPOSITORY		

#11/B  
(NIE.)  
LST  
5-19-04CERTIFICATE UNDER 37 CFR 1.8:

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David W. Victor

AMENDMENT AFTER FINAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is submitted in response to the Final Office Action dated February 12, 2004 in which the Examiner rejected pending claims 1, 2, 4-22, 24-40, and 42-57 as obvious (35 U.S.C. §103) over cited art and rejected claims 4, 24, and 42 under 35 U.S.C. §112, par. 2 for depending from canceled claims. A Notice of Appeal was filed in this case March 22, 2004 to appeal the rejections in the Final Office Action. Applicants submit this amendment to change the dependency of claims 4, 24, and 42 to depend from pending claims 1, 21, and 39 so they no longer depend from canceled claims. This Amendment will overcome the indefiniteness rejection and simplify issues on appeal.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2.

**Remarks/Arguments** begin on page 15.